

DISABLED AMERICAN VETERANS | JACKSONVILLE CHAPTER 1, INC

1439 Parental Home Road
Jacksonville Florida 32216-3007
Phone: 904-720-0244 | Website: fl.dav.org/1 | Email: davchap1@att.net



CHAPTER NEWSLETTER

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Chapter 1 Officers

DAV	DAVA
Commander: Leslie Eglinger	Commander: Katherine A. Haines
Adjutant: Paul Markiewicz	Adjutant: Diana Locke
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1st Jr. Vice Commander: David Kirby	1st Jr. Vice Commander: Generosa McClay-Buchanan
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Chaplain: Oscar McKnight	Chaplain: Marilyn Miller
Treasurer: Larry Eddy	Treasurer: Diana Locke
Judge Advocate: Robert Young	
Benefits Protection: Standley Slowey	

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<u>Upcoming Meetings and Events</u>	<u>Upcoming Meetings and Events</u>
<p style="text-align: center;">June</p> 14th – Flag Day 16th – Father’s Day 20th to 23rd – DAV Florida State Convention 29 th – Chapter 1 Meeting (Moved from June 22 nd .)	<p style="text-align: center;">July</p> 4th – Independence Day 27th – Chapter 1 Meeting

Editorial

At the July 28, 2018 meeting I proposed that if any members of our Chapter and Auxiliary submitted input to me *by the Wednesday before our monthly meeting - without me having to ask for it* - I would put it into a Newsletter and post it to our website at fl.dav.org/1. I also offered to do it monthly, aiming to publish it by our monthly meeting.

If anyone has something of interest, please send it to me. /S/ John J. Donnangelo

From Chapter 1’s Tom Ayala

“I look forward to seeing you at our 92nd Department Convention where I will ask for your support to be next Commander of the greatest Department in the DAV.”

(Tom is a Past Chapter 1 Commander; so we know he’s qualified.)

Jacksonville’s “Pedestrian Danger Index”

Jacksonville remains one of the country’s most dangerous areas for pedestrians but looks a little better because others have become noticeably worse, an urban design group’s report released Wednesday [Jan. 23, 2019] finds.

Jacksonville’s metropolitan area ranks No. 6 nationally on a “pedestrian danger index” used by the advocacy group Smart Growth America, down from No. 3 and No. 4 on two reports since 2014.

That’s despite the fact that the number of pedestrian deaths over a 10-year period actually rose, with 419 deaths recorded between 2008 and 2017, the last year the report considered.

Florida communities dominated the list of most dangerous areas in the new report, although transportation officials around the state have said they’re trying to fix that.

From <https://tinyurl.com/y4cfl8rz>

The DAV will persevere

Throughout virtually every facet of the DAV mission runs one word: **perseverance**.

We see countless stories of individuals who, despite life-changing injuries and illness, overcome challenges to achieve remarkable victories. Our advocates in the field never stop fighting to help veterans and their families gain access to their benefits. And our volunteers are relentless in their pursuit to make life better for the men and women who served.

Both in the military and in our lives as veterans, we persevere. We keep pressing on, no matter how difficult the road ahead. We are driven by many things: a passion to serve, the spirit of brother and sisterhood and a refusal to accept defeat.

I know that many Vietnam veterans were disappointed by the outcome of the fight to get the Blue Water Navy Vietnam Veterans Act across the finish line before the end of the year, which would have righted a long-standing injustice to tens of thousands of veterans who served in harm's way and were exposed to Agent Orange.

However, in January, a federal appeals court ruled in favor of Blue Water Navy veterans in the case of Alfred Procopio Jr., who served aboard the USS Intrepid during the war and later developed illnesses linked to Agent Orange exposure. The ruling technically now means that any veteran who served up to 12 nautical miles off the coast of Vietnam are presumed eligible for disability benefits for diseases linked to Agent Orange. The VA can attempt to overturn the ruling by appealing the decision to the U.S. Supreme Court within 90 days, which could result in a stay or hold being placed on all Blue Water Navy veterans claims until the outcome of the appeal is decided.

We will, of course, continue to monitor the case and fight for Blue Water Navy veterans. This is a major victory, but it may not be the end of the road. We have faced many challenges and setbacks to get to this point, and with your help and support, have shone a spotlight on this critical issue.

Though the legislation failed to get through the Senate last year, we knew it did not spell defeat — instead, it was a chance to rally our strength and carry on. The battle is not yet over.

We have made our position clear to those on Capitol Hill, and we will ensure that we continue the fight in 2019. With your help, we will persevere.

J. Marc Burgess, National Adjutant

Federal Charters: What do they mean?

DAV is one of roughly one of 100 organizations that have been granted a “Federal” or “Congressional Charter”. This concept is somewhat puzzling to the public and sometimes even mystifies government agencies.

Who came up with the idea of a “federal charter”? The federal charter as it exists in the United States appears to be a direct descendant of the so-called European “royal charter”. Some charters were granted simply for the creation of necessary institutions, such as British East India Company. However, some were granted to honor existing institutions and to acknowledge their “pre-eminence, stability and permanence”. The varied uses of the royal charter made their way into the practices of the earliest American colonies.

What is the purpose of the “federal” or “congressional” charter as we know it? The practice of the chartering by Congress of patriotic, charitable and other organizations of civic value was most prominent in the middle third of the last century. Typically, the chartered organizations originally existed as state corporations (or unincorporated associations) and subsequently sought the Congressional recognition. This was the case, for example, with DAV. Founded a dozen years before the grant of its federal charter in 1932, the organization had been incorporated in Ohio. That incorporation was superseded by the Congressional enactment, which was signed into law by President Herbert Hoover on June 17, 1932. It had been amended on a few occasions over the years, but, in essence, remains very much as originally enacted. The House and Senate agreed sometime later to a joint statement of policy under which federal charters were to be reserved to organizations “organized and operated for the primary purpose of conducting activities which are of national scope and responsive to a national need”. The result of this has been a dramatic decline in the number of newly-issued charters.

How and why would a charter ever be amended? It is difficult to amend a federal charter. It requires—literally an Act of Congress. Typically, an amendment is made so that the charter more accurately reflects the character of the organization. For example, as originally chartered in 1932, DAV was named Disabled American Veterans of the World War. Geopolitical circumstances changed rapidly in the next decade so that in 1942, President Franklin Roosevelt signed into law an amendment to the DAV Charter changing the name of the organization to Disabled American Veterans. What about the last proposed amendment to DAV’s Charter? That proposed amendment to the DAV Charter was intended to reflect clearly two undeniable facts: One is that the organization’s charitable activities now dwarf everything it does. The other is that DAV has long been the primary institution educating the American people about the sacrifices and needs of injured and ill veterans.

(By John Markiewicz, Department Judge Advocate)

Know Your Risk: Atlantic Hurricane Season Begins June 1

From the FEMA.gov Bulletin (May 2019): The Atlantic hurricane season officially runs from June 1 until November 30. There are tools available to help plan and prepare for hurricanes:

- Know what to do before, during, and after a hurricane.
- Create an emergency communication plan with your family before a hurricane.
- Know your local community's evacuation plan and evacuation routes, sign up to receive local alerts and warnings, and listen to the advice of local officials before, during, and after a storm.
- Check your insurance coverage, damages caused by flooding are not covered under normal homeowner's insurance policies.
- Strengthen your financial preparedness by collecting and securing personal financial, insurance, medical, and other records.
- Have emergency supplies in place at home, at work, and in the car.
- Download the FEMA mobile app for disaster resources, weather alerts, and safety tips. The app (available in English and Spanish) provides a customizable checklist of emergency supplies, maps of open shelters and recovery centers, disaster survival tips, and weather alerts from the National Weather Service. The app also enables users to receive push notifications reminding them to take important steps to prepare their homes and families for disasters.

Learn more on how to prepare before, during, and after a hurricane at: [ready.gov/hurricanes](https://www.ready.gov/hurricanes)

A Veteran is ...

